



**AGENDA**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 – Lower Level - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, APRIL 5, 2006, 1:30 P.M.**

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBERS: Rami Talleh, Ron Santos, Ramona Kohlmann

MINUTES: October 26, 2005  
December 14, 2005  
February 22, 2006  
March 1, 2006

ORAL COMMUNICATION: Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

**SCHEDULED ITEMS:**

- 1. PETITION DOCUMENT:** ***CONDITIONAL USE PERMIT NO. 06-02 (GYU-KAKU JAPANESE RESTAURANT)***
- APPLICANT: Koichi Tamaoki, PAL International
- REQUEST: To permit the establishment of a 2,787 sq. ft. Japanese restaurant with alcohol sales within an existing commercial development.
- LOCATION: 7862 Warner Avenue, Suite 109 (southwest corner of Beach Boulevard and Warner Avenue – The Plaza)
- PROJECT PLANNER: Rami Talleh
- STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval

***Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.***

**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Rami Talleh, Associate Planner  
**DATE:** April 5, 2006

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 06-02 (GYU-KAKU JAPANESE RESTAURANT)**

**LOCATION:** 7862 Warner Avenue, Suite 109 (southwest corner of Beach Boulevard and Warner Avenue – The Plaza)

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**Applicant:** Koichi Tamaoki, PAL International, 1665 W. Third Street, Los Angeles, CA 90017

**Property Owner:** First Huntington Capital, 17011 Beach Boulevard, Suite 826, Huntington Beach, CA 92647

**Request:** To permit the establishment of a 2,787 sq. ft. Japanese restaurant with alcohol sales within an existing commercial development.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**Zone:**  
CG (General Commercial)

**General Plan:**  
CG-F3-d (Commercial General – 1.0 Floor Area Ratio – Design Overlay)

**Existing Use:**  
Vacant Commercial Suite

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**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of minor alterations to a commercial suite within an existing shopping center.

### **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-02:**

1. Conditional Use Permit No. 06-02 for the establishment, maintenance and operation of a 2,787 sq. ft. Japanese restaurant with alcohol sales within an existing commercial development will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed restaurant with alcohol sales will not generate additional noise, traffic, or other impacts detrimental to surrounding property and inconsistent with the subject property's commercial zoning. The site provides the necessary parking to accommodate the proposed expansion.
2. The conditional use permit will be compatible with surrounding uses because it is a commercial use located in an existing commercial development with other commercial uses with similar characteristics.
3. The proposed Conditional Use Permit No. 05-39 will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed use in the district in which it would be located. The restaurant with alcohol sales will be located within an existing commercial center, which conforms to land use, setbacks, building heights, and landscaping requirements applicable to the General Commercial (CG) zoning designation.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Commercial General on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
  - a. Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, and capitalize on Huntington Beach's recreational resources (LU 10.1)
  - b. Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area (ED 2.4.3)

The proposed restaurant with alcohol sales will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. It will be located in an existing shopping center, which includes service related uses.

### **SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 06-02**

The site plan, floor plans, and elevations received and dated January 18, 2006, shall be the conceptually approved design.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.